UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,102	08/10/2000	Daniel O. Ramos	60259	6353

23735   7590   03/22/2007
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EXAMINER
VU, THANH T

ART UNIT	PAPER NUMBER
2174	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	09/636,102	RAMOS ET AL.
	Examiner	Art Unit	
	Thanh T. Vu	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 December 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>2,5-7 and 9-20</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>2, 5-7 and 9-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This communication is responsive to Amendment, filed 12/26/2006.

Claims 2, 5-7 and 9-20 are pending in this application. In the Amendment, claims 1, 3-4,

8 were cancelled, and claims 2, 5, 7, 9, 10, 11, 14, and 19 were amended.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 2, 5, 7, 9, and 10 are rejected under 35 U.S.C. 101 because the claimed invention

is directed to non-statutory subject matter. Claims 2, 5, 7, and 9 recite "a file browser system

comprising: a file browser for...; and a file browser extension for..." and claim 10 recites "a

watermark decoder system comprising: a host application having a user interface for... and an

extension to the host application for..." are non-statutory, since they are not tangibly embodied

in a manner so as to be executable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2, 5-7, 9-10 and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Houser et al. ("Houser", U.S. Pat. No. 5,606,609) and Stefik et al. ("Stefik" Pub. No.: US

2001/0008557).

Per claim 2, Houser teaches a file browser system comprising:

a file browser for displaying in a user interface a representation of media object files

stored in memory (fig. 4B; col. 11, lines 11-34); and

a file browser extension for decoding an object identifier from a selected media object file (fig.

8; decryptor 820; col. 15, lines 19-20 and lines 61-67) and for displaying in an extension of the

user interface metadata or an action associated with the media object file via the object identifier

(col. 16, lines 34-50; col. 17, lines 5-12) wherein the object identifier is decoded from a

watermark embedded in the selected media object file (col. 4, lines 3-10; col. 7, lines 30-43; col.

15, lines 19-20 and lines 61-67; The examiner considers a watermark as a security object being

embedded in a electronic document, see col. 7, lines 30-43 and col. 12, lines 30-35). Houser does

not specifically teach the object identifier is decoded from a watermark embedded in perceptible

attributes of an image or audio signal in the selected media object file, the perceptible attributes

including imperceptible modification that encode the object identifier in the image or audio

signal. However, Stefik the object identifier is decoded from a watermark embedded in

perceptible attributes of an image or audio signal in the selected media object file, the perceptible

attributes including imperceptible modification that encode the object identifier in the image or

audio signal ([0014]). Therefore, it would have been obvious to one of ordinary skill in the art at

the time of the invention to include the teaching of Stefik in the invention of Houser in order to

provide the user with a system that can deter or prevent unauthorized copying of digital

documents.

Per claim 5, Houser teaches a file browser system comprising:

a file browser for displaying in a user interface a representation of media object files

stored in memory (fig. 4B; col. 11, lines 11-34); and

a file browser extension for decoding an object identifier from a selected media object file

and (fig. 8; decryptor 820; col. 15, lines 19-20 and lines 61-67) for displaying in an extension of

the user interface metadata or an action associated with the media object file via the object

identifier (col. 16, lines 34-50; col. 17, lines 5-12); wherein the file browser extension forwards

the object identifier to a metadata server (col. 16, lines 1-9) and displays metadata or an action

returned from the server (col. 16, lines 34-50; col. 17, lines 5-12). Houser does not specifically

teach the object identifier is decoded from perceptible attributes of the image or audio signal yet

being conveyed in the image or audio signal in a manner that does not cause perceptible changes

to the image or audio signal. However, Stefik the object identifier is decoded from perceptible

attributes of the image or audio signal yet being conveyed in the image or audio signal in a

manner that does not cause perceptible changes to the image or audio signal ([0014)]. Therefore,

it would have been obvious to one of ordinary skill in the art at the time of the invention to

include the teaching of Stefik in the invention of Houser in order to provide the user with a

system that can deter or prevent unauthorized copying of digital documents.

Per claim 6, Houser teaches the file browser system of claim 5 wherein the file browser

extension extracts and displays metadata from the media object file along with metadata returned

from the metadata server (col. 16, lines 34-50 and col. 17, lines 5-12).

Per claim 7, Houser teaches a file browser system comprising: a file browser for

displaying in a user interface a representation of media object files stored in memory (fig. 4B;

col. 11, lines 11-34); and

a file browser extension for decoding an object identifier from a selected media object file

(fig. 8; decryptor 820; col. 15, lines 19-20 and lines 61-67) and for displaying in an extension of

the user interface metadata or an action associated with the media object file via the object

identifier (col. 16, lines 34-50 and col. 17, lines 5-12); wherein the metadata or action is

displayed as a URL link to information or a program associated with the selected media object

file (col. 16, lines 34-50 and col. 17, lines 5-12 and lines 33-48). Houser does not specifically

teach the object identifier is decoded from perceptible attributes of the image or audio signal yet

being conveyed in the image or audio signal in a manner that does not cause perceptible changes

to the image or audio signal. However, Stefik the object identifier is decoded from perceptible

attributes of the image or audio signal yet being conveyed in the image or audio signal in a

manner that does not cause perceptible changes to the image or audio signal ([0014)]. Therefore,

it would have been obvious to one of ordinary skill in the art at the time of the invention to

include the teaching of Stefik in the invention of Houser in order to provide the user with a

system that can deter or prevent unauthorized copying of digital documents.

Per claim 9, Houser teaches a file browser system comprising:

a file browser for displaying in a user interface media object files stored in memory (fig.

4B; col. 11, lines 11-34); and

a file browser extension for encoding an object identifier into a selected media object file

(fig. 6; encryptor 620; col. 4, lines 3-10; col. 14, lines 38-50) and for displaying in an extension

of the user interface one or more options for enabling a user to enter input to control the

encoding of the object identifier (col. 13, lines 35-65); wherein the file browser extension

comprises a watermark encoder for encoding the object identifier into the selected media object

file (col. 7, lines 30-43; col. 11, lines 15-25; The examiner considers a watermark as a security

object being embedded in a electronic document, see col. 7, lines 30-43 and col. 12, lines 30-

35.). Houser does not specifically teach the object identifier is decoded from a watermark

embedded in perceptible attributes of an image or audio signal in the selected media object file,

the perceptible attributes including imperceptible modification that encode the object identifier in

the image or audio signal. However, Stefik the object identifier is decoded from a watermark

embedded in perceptible attributes of an image or audio signal in the selected media object file,

the perceptible attributes including imperceptible modification that encode the object identifier in

the image or audio signal ([0014)]. Therefore, it would have been obvious to one of ordinary

skill in the art at the time of the invention to include the teaching of Stefik in the invention of

Houser in order to provide the user with a system that can deter or prevent unauthorized copying

of digital documents.

Per claim 10, Houser teaches a watermark decoder system comprising:

a host application having a user interface for displaying a representation of media object

files (fig. 4B; col. 11, lines 11-34); and

an extension to the host application for decoding a watermark from a selected media

object file (fig. 8; decryptor 820; col. 15, lines 19-20 and lines 61-67) and for displaying in an

extension of the user interface metadata or an action associated with the media object file via the

watermark (col. 16, lines 34-50; and col. 17, lines 5-12). Houser does not specifically teach a

object identifier is decoded from a watermark embedded in perceptible attributes of an image or

audio signal in the selected media object file, the perceptible attributes including imperceptible

modification that encode the object identifier in the image or audio signal. However, Stefik a

object identifier is decoded from a watermark embedded in perceptible attributes of an image or

audio signal in the selected media object file, the perceptible attributes including imperceptible

modification that encode the object identifier in the image or audio signal ([0014]). Therefore, it

would have been obvious to one of ordinary skill in the art at the time of the invention to include

the teaching of Stefik in the invention of Houser in order to provide the user with a system that

can deter or prevent unauthorized copying of digital documents.

Per claim 14, Houser teaches a method of rendering a media object comprising:

decoding an object identifier from the media object (fig. 8; decryptor 820; col. 15, lines

19-20 and lines 61-67);

sending the object identifier to a metadata server (fig. 8; col. 15, lines 15-27; col. 16, lines

1-9);

receiving a brand identifier from the metadata server (col. 7, lines 45-60; col. 10, lines 23-

27); and

displaying a representation of the brand identifier (col. 16, lines 34-50; col. 17, lines 5-

12).

Houser does not specifically teach the object identifier is decoded from perceptible

attributes of the image or audio signal yet being conveyed in the image or audio signal in a

manner that does not cause perceptible changes to the image or audio signal. However, Stefik the

object identifier is decoded from perceptible attributes of the image or audio signal yet being

conveyed in the image or audio signal in a manner that does not cause perceptible changes to the

image or audio signal ([0014]). Therefore, it would have been obvious to one of ordinary skill in

the art at the time of the invention to include the teaching of Stefik in the invention of Houser in

order to provide the user with a system that can deter or prevent unauthorized copying of digital

documents.

Per claim 15, Houser teaches the method of claim 14 wherein the object identifier is

decoded from a watermark embedded in the media object (fig. 8; decryptor 820; col. 4, lines 3-

10; col. 15, lines 19-20 and lines 61-67; col. 16, lines 52-67).

Per claim 16, Houser teaches the method of claim 14 wherein the media object is a video

or an image, and the representation of the brand identifier is a graphic superimposed on a

rendering of the video or image (col. 7, lines 45-60; col. 10, lines 23-27; col. 16, lines 34-50; col.

17, lines 5-13).

Per claim 17, Houser teaches the method of claim 16 wherein the graphic is a hot link to

information or an action associated with the media object (col. 7, lines 45-60; col. 10, lines 23-

27; col. 16, lines 34-50; col. 17, lines 5-13).

Per claim 18, Houser teaches the method of claim 17 wherein selecting the hot link

causes retrieval of the information or action from a remote server (col. 8, lines 58-65; col. 9,

lines 55-60).

Per claim 19, Houser teaches a method for extending a user interface of a media player

comprising:

in response to input requesting playback of a media object, extracting an object identifier

from the media object (fig. 8; decryptor 820; col. 11, lines 52-61; col. 15, lines 19-20 and lines

61-67);

using the object identifier to look up metadata associated with the media object (fig. 8;

col. 15, lines 45-67);

extending a user interface of a media player to include a representation of the metadata

associated with the media object (col. 16, lines 34-45; col. 15, lines 34-50).

Houser does not specifically teach the object identifier is decoded from perceptible

attributes of the image or audio signal yet being conveyed in the image or audio signal in a

manner that does not cause perceptible changes to the image or audio signal. However, Stefik the

object identifier is decoded from perceptible attributes of the image or audio signal yet being

conveyed in the image or audio signal in a manner that does not cause perceptible changes to the

image or audio signal ([0014)]. Therefore, it would have been obvious to one of ordinary skill in

the art at the time of the invention to include the teaching of Stefik in the invention of Houser in

order to provide the user with a system that can deter or prevent unauthorized copying of digital

documents.

Per claim 20, Houser teaches the method of claim 19 wherein extracting the object

identifier includes decoding the object identifier from a watermark embedded in the media object

(fig. 8; col. 4, lines 3-10; col. 15, lines 19-20 and lines 61-67; The examiner considers a

watermark as a security object being embedded in a electronic document, see col. 7, lines 30-43

and col. 12, lines 30-35).

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houser et

al. ("Houser", U.S. Pat. No. 5,606,609), Stefik et al. ("Stefik" Pub. No.: US 2001/0008557), and

Huntsman (U.S. Pat. No. 5,801,689).

Per claim 11, the modified Houser teaches a browser on a computer readable medium, the

browser comprising: a listener program for identifying a media object in a document ("Houser",

fig. 8; interpreter module 250; col. 15, lines 25-27); and for inserting a handler into the document

when an object identifier is extracted from the media object (col. 16, lines 34-50 and lines 52-

67); wherein the handler is operable to display metadata linked via the object identifier in

response to user input (col. 13, lines 35-50; col. 16, lines 34-50; col. 17, lines 5-12 and lines 33-

48), but does not teach the browser is an internet browser having an HTML document. However,

Huntsman teaches an Internet browser having an HTML document (col. 4, lines 1-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to include the teaching of Huntsman in the invention of the modified Houser in order

to provide a means for accessing the document information from a remote location.

Per claim 12, Houser teaches the internet browser of claim 11 wherein the object

identifier is decoded from a watermark embedded in the media object (fig. 8; decryptor 820; col.

15, lines 19-20 and lines 61-67).

Per claim 13, Houser teaches the internet browser of claim 11 wherein the metadata is

retrieved from a metadata server by sending the object identifier to the metadata server (*fig. 8*;

col. 16, lines 34-50; col. 17, lines 5-12; the security object information is being forwarded to the

verification processor 830, which performs verification processing, see col. 16, lines 1-9).

Response to Arguments

Applicant's arguments with respect to Amendment B have been considered but are moot

in view of the new ground(s) of rejection.

Inquiries

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The

examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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